

VULNERABLE ADULT SUMMIT



June 1, 2007

Abuse and Neglect Issues

- ❖ Inadequate resources for outreach, education, assessment, and services.
- ❖ Inability/unwillingness of victims to protect themselves.
- ❖ Lack of information and education about the problem and resources.

Abuse and Neglect Issues (cont'd.)

- ❖ Lack of mental stimulation in family/group homes; staff too busy.
- ❖ Lack of human well-being in nursing facilities, doesn't rise to the level of legally-defined abuse or neglect.

Abuse and Neglect Issues (cont'd.)

- ❖ **Lack of awareness or knowledge about the indicators of abuse and neglect and the resources available.**
- ❖ **Inability or lack of capacity by victims to assist in investigation and prosecution.**

Abuse and Neglect Issues (cont'd.)

- ❖ **APS/DSHS need more flexibility for broader jurisdiction over reported incidents.**
- ❖ **Lack of appropriate funding.**
- ❖ **Lack of necessary resources.**

Abuse and Neglect Issues (cont'd.)

- ❖ All professions and agencies involved in the system require greater education, training, and oversight.
- ❖ Difficult to balance victim independence and the need for victim protection (particularly important when the caregiver is the perpetrator).

Abuse and Neglect Issues (cont'd.)

- ❖ Prevention of abuse and neglect through early training, follow-up, and tracking unsubstantiated incidents.**
- ❖ Poor coordination between the civil and criminal system.**
- ❖ Lack of well-trained, well-paid work force to care for vulnerable adults.**

Abuse and Neglect Issues (cont'd.)

- ❖ A single nationwide database is needed for background checks of caregivers (containing complaints, charges, and convictions).
- ❖ Societal issue - need to make the vulnerable adult population a priority (re-prioritize resources).

Abuse and Neglect Issues (cont'd.)

- ❖ Sexual abuse issues. The complexity of these cases need to be given higher priority and a need exists for greater training.
- ❖ Complexity caused by multiple systems/agencies involved in providing justice (MDT approach helpful).
- ❖ Expand the list of mandatory reporters.

Abuse and Neglect Issues (cont'd.)

- ❖ An elder abuse public awareness campaign is needed to inform all people what to report and how to report.
- ❖ Require a higher staff to resident ratio in facilities designed to care for vulnerable adults.

Abuse and Neglect Issues (cont'd.)

- ❖ **Care provider training should be completed prior to performing care giving duties.**
- ❖ **Need victim and witness advocate programs specific to elder and disabled victims.**
- ❖ **Domestic violence victims services often do not accommodate elder and disabled victims.**

Abuse and Neglect Issues (cont'd.)

- ❖ Insufficient mental health intervention services to respond to vulnerable adults.**
- ❖ Insufficient resources for borderline developmentally disabled citizens.**
- ❖ Guardians are limited in ability to intervene when a higher level of care is necessary.**

Abuse and Neglect Issues (cont'd.)

- ❖ **Determining where to report elder abuse is difficult.**
- ❖ **Self reporting of abuse if difficult or impossible for vulnerable adults.**
- ❖ **Physical evidence of abuse is different in vulnerable adults.**

Abuse and Neglect Issues (cont'd.)

- ❖ No automatic investigation of deaths in nursing facilities.
- ❖ No provision of third parties to seek protections orders on behalf of vulnerable adults.
- ❖ Law enforcement needs to check for vulnerable adults when in homes.

Abuse and Neglect Issues (cont'd.)

- ❖ Physicians fail to recognize abuse in vulnerable adults. Additional geriatric physicians are necessary.
- ❖ Care givers need their own care.
- ❖ No good definition of “self neglect.”

Abuse and Neglect Issues (cont'd.)

- ❖ Increasing number of theft of medication in adult care homes.**
- ❖ More information necessary for family members on access to services.**
- ❖ Drug endangered adults living in the homes of their drug using children.**

Abuse and Neglect Issues (cont'd.)

- ❖ Need clear definitions in the law and across professions.**
- ❖ Need to develop a body of knowledge relating to unique issues associated with vulnerable adults.**

Financial Exploitation Issues

- ❖ Financial exploitation is difficult to detect, prevent, and prosecute because of the difficulty getting access to records and documents.
- ❖ Some organizations and individuals are reluctant to report the crimes. Need to consider safe harbor provisions or mandatory reporting.

Financial Exploitation Issues

(cont'd.)

- ❖ A coordinated approach is needed. Currently response time and coordination of agencies, law enforcement, and prosecution is delayed.
- ❖ These types of crimes need to be given priority (increased resources, sentence enhancements, and special crimes).

Financial Exploitation Issues

(cont'd.)

- ❖ These crimes need to be prosecuted with or without victim cooperation.
- ❖ Both the public and private sectors including system participants need training and education (interviewing victims, investigating financial crimes, and identifying and reporting).

Financial Exploitation Issues

(cont'd.)

- ❖ There are insufficient checks and balances to prevent and detect fraud by payees, POAs, and guardians.**
- ❖ We need to educate the public regarding these issues.**
- ❖ Law enforcement, APS, and prosecutors also need education.**

Financial Exploitation Issues

(cont'd.)

- ❖ Need a centralized resource to maintain records, share information, and review financial exploitation cases/documents.**
- ❖ Powers Of Attorney. Verification of validity is difficult, POA's are poorly written, and access is limited.**
- ❖ Reluctance of victims to report.**

Financial Exploitation Issues

(cont'd.)

- ❖ Background checks and distribution of information about perpetrators are poor/untimely.
- ❖ Explosion of insurance products. Motivation for hard sells. Delay in learning that you did not get what you expected. General lack of knowledge.

Financial Exploitation Issues

(cont'd.)

- ❖ Need for broader mandatory reporting (includes banks, MSB staff, tax service providers, and others).**
- ❖ Need stiffer penalties for fraud and exploitation, and more aggressive prosecutorial approaches.**
- ❖ Undue influence and identity theft.**

Financial Exploitation Issues

(cont'd.)

- ❖ **Victims need better access to legal resources and advocates.**
- ❖ **Financial exploitation lags behind domestic violence and child protective approaches. These models can be used to speed our success.**
- ❖ **Better partnerships between banks and police. Banks should be mandatory/permissive reporters.**

Financial Exploitation Issues

(cont'd.)

- ❖ Need more mediation for financial exploitation.**
- ❖ Need to improve funding for elder legal services organizations.**
- ❖ Need a central resource for victims and reporters so they get quick response and referral to proper organizations (211?).**

Financial Exploitation Issues

(cont'd.)

- ❖ Legislation that provides greater protection through protection orders, guardianships, and mental health commitments, and that is written in “plain talk.”
- ❖ Need increased funding for resources to protect seniors, mentally ill, and developmentally disabled.

Financial Exploitation Issues

(cont'd.)

- ❖ Need more efficient use of money. Too much money tied up in legal fees, inefficient use of victim's money.
- ❖ Family members don't want to assist in prosecution.
- ❖ HIPPA interferes with disclosure of information, need greater education and possible exceptions.

Financial Exploitation Issues

(cont'd.)

- ❖ Lottery related issues and difficulty proving crime.
- ❖ Mail theft; confidential relationships/ethical reporting issues; family member payees; methamphetamine connection.
- ❖ Educate vulnerable adults, the community, and professionals.

Financial Exploitation Issues

(cont'd.)

- ❖ Fear of guardianships, loss of independence.**
- ❖ Issue durable POAs in the banking industry. Good Samaritan exception to BSA.**
- ❖ Expedited court process necessary for cases with vulnerable adult victims.**

Financial Exploitation Issues

(cont'd.)

- ❖ Developmentally disabled, mentally ill, seniors with dementia, may not be able to self report.**
- ❖ Lack of policies and placement for clients.**
- ❖ Sexual assaults in facilities.**

Financial Exploitation Issues

(cont'd.)

- ❖ Understanding agency roles, responsibilities, and how they can coordinate with one another.
- ❖ Under investigation and prosecution of mandatory reporters.

Financial Exploitation Issues

(cont'd.)

- ❖ **Lack of investigation and timely prosecution by law enforcement.**
- ❖ **Evidentiary/proof problems when victim is deceased or cognitively impaired.**
- ❖ **Stereotypes about elderly, mentally ill, developmentally disabled, and physically disabled.**



**Together we can
protect Washington's
vulnerable adults.**

**Thank you for your
time and
commitment.**